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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,446	02/19/2002	Fabrice Thebault	787451-2002	9166
20999	7590	02/01/2005		
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER DONG, DALEI	
			ART UNIT 2879	PAPER NUMBER
DATE MAILED: 02/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/079,446

Applicant(s)

THEBAULT ET AL.

Examiner

Dalei Dong

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 18-55 is/are pending in the application.
- 4a) Of the above claim(s) 18-55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 10-13 is/are rejected.
- 7) ☒ Claim(s) 5-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 18-55 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected a machine for stripping an optical fiber, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on January 3, 2005.

Claim Objections

2. Claims 2, 3 are objected to because of the following informalities:

In line 2 of Claim 2, Applicant recites "removing a porting" should be changed to removing a portion.

In line 2 of Claim 3, Applicant recites "removing a porting" should be changed to removing a portion.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2879

4. Claims 1, 2, 4, 10, 11 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,582,527 to Marazzi.

Regarding to claim 1, Marazzi discloses in Figures 1, 2 and 4, a method of stripping an optical fiber, the method comprising steps consisting in: locally and mechanically removing a portion of the outer covering (boundary portions 16a and 16b, shown in Figures 2 and 4) of the fiber by cutting off a shaving of the covering; placing a chemical solvent (liquid solvent 28) on the periphery of the location of the fiber wherein the shaving has been removed (boundary portions 16a and 16b, shown in Figure 4); and mechanically removing the covering weakened in this way (see column 4, lines 7-20).

Furthermore, Marazzi discloses that it is old and well known in the art to locally and mechanically removing a portion of the outer covering of the fiber by cutting off a shaving of the covering; placing a chemical solvent on the periphery of the location of the fiber wherein the shaving has been removed; and mechanically removing the covering weakened in this way (see column 2, lines 54-61).

Regarding to claim 2, Marazzi discloses in Figures 1, 2 and 4, wherein the step of locally and mechanically removing a portion of the outer covering of the fiber is a step of cutting off a shaving of the covering (shown in Figure 2 of boundary portions 16a and 16b).

Regarding to claim 4, Marazzi discloses in Figure 3, the fiber is positioned in a precision V-shape (V-groove, see column 8, lines 24-31).

Regarding to claim 10, Marazzi discloses in Figure 3, each blade used is positioned accurately so as to avoid touching the assembly constituted by the core and the cladding of the fiber.

Regarding to claim 11, Marazzi discloses that it is old and well known in the art to mechanically removing a portion of the covering that has previously been weakened by chemical etching by using a jet of dry air (see column 2, lines 50-53).

Regarding to claim 13, Marazzi discloses that it is old and well known in the art to mechanically removing a portion of fiber covering previously weakened by chemical etching by using a ultrasound bath (see column 3, lines 7-21).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,582,527 to Marazzi in view of U.S. Patent No. 5,481,638 to Roll.

Regarding to claim 3, Marazzi discloses in Figures 1, 2 and 4, a method of stripping an optical fiber, the method comprising steps consisting in: locally and

Art Unit: 2879

mechanically removing a portion of the outer covering (boundary portions 16a and 16b, shown in Figures 2 and 4) of the fiber by cutting off a shaving of the covering; placing a chemical solvent (liquid solvent 28) on the periphery of the location of the fiber wherein the shaving has been removed (boundary portions 16a and 16b, shown in Figure 4); and mechanically removing the covering weakened in this way (see column 4, lines 7-20).

However, Marazzi does not disclose the step of locally and mechanically removing a portion of the outer covering of the fiber is implemented using a blade extending at an angle of less than 30 degrees relative to the axis or 0-0 of the fiber. It is old and well known in the art to set the blade at an sharp angle respect to the optical fiber. Roll teaches the knife or blade edges are set at an angle with respect to the fiber of less than ninety degrees (see column 3, lines 50-55) for the purpose of efficiently cutting the outer coating of the optical fiber without exerting unnecessary strain on the fiber.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have set the blades extending at an angle of less than 30 degrees of Roll for the mechanically removing a portion of the outer covering of the fiber of Marazzi in order to efficiently cutting the outer coating of the optical fiber without exerting unnecessary strain on the fiber. Further, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have arranged the angle of the blades to desired design requirements, since it has been held that where the general condition of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233. Furthermore, Applicant has not establish the criticality of the dimension of the hole to the

Art Unit: 2879

invention in the disclosure, and neither comparative analysis nor study has been done to show the improvements and advantages of the claimed specific angle of the blade over the prior art of record.

Regarding to claim 12, Roll teaches a step of mechanically removing a portion of covering previously etched by chemical solvent by using a brush dipped in ethanol (see column 3, lines 10-23) and the motivation to combine is the same as above.

Allowable Subject Matter

7. Claims 5-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding to claim 5, prior art of record taken alone or in combination fails to teach or suggest the step of making an incision in the covering of the fiber, slightly outside the previously stripped zone, using a blade that is positioned perpendicularly to the axis of the fiber, and in eliminating the covering segment defined in this way in order to eliminate any rise in temperature so as to guarantee mechanical and chemical integrity of the various elements making up the optical fiber.

Regarding to claims 6-9, claims 6-9 are allowable because of dependency.

Response to Arguments

8. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following prior art are cited to further show the state of the art of method of stripping an optical fiber.

U.S. Patent No. 4,473,942 to Ridgway.

U.S. Patent No. 5,389,192 to Takimoto.

U.S. Patent No. 5,681,417 to Jacobs.

U.S. Patent No. 6,549,712 to Abe.

U.S. Patent No. 6,708,749 to McLeod.

U.S. Patent No. 6,763,872 to Beffroy.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 2879

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.D.

January 24, 2005



Joseph Williams
Primary Examiner
Art Unit 2879